

REMARKS

Claims 19, 21, 26-29, and 37-50 are pending. This Amendment rewrites claims 37 and 43 in independent form, amends claim 42, and adds new claims 51-56.

Statement of the Substance of the Interview

Applicant's representative thanks Examiner Joseph L. Perrin for the courtesies extended in the personal interview conducted with Applicants' Representative, John J. Dresch, Reg. No. 46,672, on June 3, 2008. A copy of an Interview Summary was provided by the Examiner at the interview. Applicant submits this Statement to comply with the requirements of M.P.E.P. § 713.04.

In the interview, the following was discussed:

A. Identification of claims discussed:

Independent claims 19, 29, 42, and 50, and dependent claims 37-40 and 43-49.

B. Identification of prior art discussed:

The Smith et al. reference (U.S. Pat. No. 5,685,038); the Bugnacki reference (M. Bugnacki et al., "A Micromachined Thermal Accelerometer for Motion, Inclination, and Vibration Measurement," Sensors, June 2001, pp. 98-104, vol. 18, no. 6); and the Youn et al. reference (U.S. Pat. Pub. No. 2001/0025392).

C. Identification of principal proposed amendments:

None.

D. Brief Identification of principal arguments:

Applicants' representative argued that the rejections under 35 U.S.C. § 103 should be withdrawn for the reasons set forth below.

Applicants' representative argued that the features of dependent claims 37-39 and 43-49 are not disclosed or suggested by the prior art of record, for the reasons set forth below.

Applicants' representative clarified the features of the claims and identified the support for the claimed features in the disclosure. Applicants' representative argued that the rejection of claims 40 and 47-49 under 35 U.S.C. § 112, first and second paragraphs, should be withdrawn for the reasons set forth below.

E. Results of the Interview:

Applicants gratefully acknowledge the Examiner's indication in the Interview Summary that the arguments with respect to dependent claims 37 and 43 (and claims dependent thereon) appeared to be persuasive and allowable over the prior art of record and would be reconsidered upon submission of Applicants' response to the Office Action.

Applicants gratefully acknowledge the Examiner's indication in the interview that Applicants' clarification of the claims and identification of the support in the disclosure appear to overcome the rejections under 35 U.S.C. § 112, first and second paragraphs, and that these rejections would be reconsidered upon submission of Applicants' response to the Office Action.

Allowable Claims 37-39 and 43-49:

As set forth above, Applicants gratefully acknowledge the Examiner's indication in the Interview Summary that the arguments with respect to dependent claims 37 and 43 (and claims dependent thereon) appeared to be persuasive and allowable over the prior art of record. This Amendment rewrites claims 37 and 43 in independent form to place claims 37-39 and 43-49 in condition for allowance. Applicants respectfully submit that claims 37-39 and 43-49 are allowable over the prior art of record, and request withdrawal of the rejections under 35 U.S.C. § 103 for at least the following reasons.

Independent Claims 37 and 43:

Applicants respectfully submit that the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest that "*said lever device includes a first lever arm coupled to said linen treatment device and a fulcrum, a*

second lever arm coupled to said fulcrum and a hinge joint, and a rail coupled to said hinge joint, said at least one sensor mounted to said rail” as recited in independent claim 37. Somewhat similarly, the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest “wherein the lever device comprises: a first lever arm having a first end coupled to the soapy water container and a second end coupled to a fulcrum; a second lever arm having a first end coupled to the fulcrum and a second end coupled to a hinge joint; and a rail coupled to the hinge joint, wherein the sensor is mounted on the rail” as recited in independent claim 43.

The Office Action asserts that the alleged lever devices 46 and 76 and springs 64 and 84 of the Smith et al. reference disclose the features of claim 37. However, in stark contrast to the claimed invention, the alleged lever devices 46 and 76 of the Smith et al. reference are separate levers, not lever arms of the same lever. The alleged lever devices 46 and 76 also do not pivot about the same fulcrum. Figs. 2, 3, and 5 clearly show that a first end of the alleged lever device 46 has fingers 50 that are received in the notches 54 of the bottom wall 44 of the sensor 32. A second end of the alleged lever device 46, which has a weight 56, is free to pivot about the fulcrum of the grooves 52. (Col. 4, lines 16-17). In contrast, Figs. 2, 3, and 5 clearly show that a first end of the alleged lever device 76 (pivoting armature) pivots about a completely different fulcrum (at spring 84) than the fulcrum of the grooves 52. (Col. 6, lines 29-37).

Moreover, both the Smith et al. reference and the Office Action are completely silent with respect to a teaching of a hinge joint, as claimed.

Also, in stark contrast to the claimed invention, the alleged rail 44 of the Smith et al. reference clearly is an integral part of the sensor 32. (Col. 3, lines 56-66; Figs. 2, 3, and 5). The sensor 32 clearly is not mounted to the rail 44.

For these and other reasons, the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest all of the features of independent claims 37 and 43. Applicants respectfully request withdrawal of this rejection.

Dependent Claims 38 and 39:

Claims 38 and 39 depend from Claim 37 and are allowable for the same reasons and also because they recite additional patentable subject matter. Applicants respectfully traverse this rejection.

Applicants respectfully submit that the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest that “*said second lever arm is pivotable about said fulcrum*” as recited in claim 38.

As explained above, and in stark contrast to the claimed invention, the alleged lever devices 46 and 76 of the Smith et al. reference are separate levers, not lever arms of the same lever. The alleged lever devices 46 and 76 also do not pivot about the same fulcrum, as alleged in the Office Action.

Also, the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest that “*said first lever arm is parallel to a rotational axis of said linen treatment device*” as recited in claim 39.

Fig. 2 clearly shows that both of the alleged lever devices 46 and 76 are biased at an angle with respect to a rotational axis of the alleged linen treatment device 12 by springs 64 and 84, respectively, and are not parallel to a rotational axis of the alleged linen treatment device 12.

For these and other reasons, the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest all of the features or claims 38 and 39. Applicants respectfully request withdrawal of this rejection.

Dependent Claims 44-49:

Claims 44-49 depend from Claim 43 and are allowable for the same reasons and also because they recite additional patentable subject matter. Applicants respectfully traverse this rejection.

Applicants respectfully submit that the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest “*wherein the first lever arm is pivotable about the fulcrum*” as recited in claim 44. Similarly, the

hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest “*wherein the second lever arm is pivotable about the fulcrum*” as recited in claim 45.

As explained above, and in stark contrast to the claimed invention, the alleged lever devices 46 and 76 of the Smith et al. reference are separate levers, not lever arms of the same lever. The alleged lever devices 46 and 76 also do not pivot about the same fulcrum, as alleged in the Office Action.

The hypothetical combination of the Smith et al. reference and the Bugnacki reference also clearly fails to teach or suggest “*wherein the first lever arm is parallel to a rotational axis of the soapy water container.*” as recited in claim 46.

Fig. 2 clearly shows that both of the alleged lever devices 46 and 76 are biased at an angle with respect to a rotational axis of the alleged linen treatment device 12 by springs 64 and 84, respectively, and are not parallel to a rotational axis of the alleged linen treatment device 12.

The hypothetical combination of the Smith et al. reference and the Bugnacki reference also clearly fails to teach or suggest “*wherein the lever device converts movement of the soapy water container to translational movement of the sensor on the rail*” as recited in claim 47.

As explained above, in stark contrast to the claimed invention, the alleged rail 44 of the Smith et al. reference clearly is an integral part of the sensor 32. (Col. 3, lines 56-66; Figs. 2, 3, and 5). The sensor 32 clearly is not mounted to the rail 44. The alleged lever devices 46 and 76 clearly do not convert movement of the alleged linen treatment device 12 to translational movement of the sensor 32 on the alleged rail 44. indeed, the sensor 32 does not translate along the alleged rail 44.

Claims 48 and 49 depend from claim 47 and are patentable for the same reasons, as well as for the additional features recited therein.

For these and other reasons, the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest all of the features or claims 44-49. Applicants respectfully request withdrawal of this rejection.

Claim Rejection under 35 U.S.C. §112, first paragraph

As set forth above, Applicants gratefully acknowledge the Examiner's indication in the interview that Applicants' clarification of the claims and identification of the support in the disclosure appear to overcome the rejections under 35 U.S.C. § 112, first paragraph, and that these rejections would be reconsidered upon submission of Applicants' response to the Office Action.

The Office Action rejects claims 40 and 47-49 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. Applicants respectfully traverse this rejection.

"An objective standard for determining compliance with the written description requirement is, "does the description clearly allow persons of ordinary skill in the art to recognize that he or she invented what is claimed. [...] to satisfy the written description requirement, an applicant must convey with reasonable clarity to those skilled in the art that, as of the filing date sought, he or she was in possession of the invention, and that the invention, in that context, is whatever is now claimed." (M.P.E.P. § 2163.02.)

Applicants respectfully submit that the disclosure conveys with reasonable clarity to those skilled in the art that the features of claims 40 and 47-49 were in possession of the Applicants, as of the filing date.

The specification clearly explains that a lever device converts movement of the linen treatment device to translational movement at the sensor. (Page 2, lines 9-23; page 8, lines 1-16.) Fig. 3 has arrows pointing up and down that illustrate the movement, or imbalance, of the soapy water container 15 with respect to the axis of the soapy water container 15. The rotational movement of the lever 27 about the fulcrum 26 converts the movement, or imbalance, of the soapy water container 15 to a translational movement of the sensor 22 along path b. Fig. 3 further illustrates that the sensor 22 moves along rail 23. Fig. 4 is a diagram illustrating these features.

Claim 40 recites "*wherein said lever device converts movement of said linen treatment device to translational movement at said sensor.*" Similarly, claim 47 recites

“wherein the lever device converts movement of the soapy water container to translational movement of the sensor on the rail.” As explained above, the rotational movement of the lever 27 about the fulcrum 26 converts the movement, or imbalance, of the soapy water container 15 to a translational movement of the sensor 22 along path b. The disclosure clearly conveys with reasonable clarity to those skilled in the art that the features of claims 40 and 47 were in possession of the Applicants, as of the filing date.

Claim 48 recites *“wherein the movement of the soapy water container includes movement of the soapy water container in a direction parallel to a rotational axis of the soapy water container.”* Claim 49 recites *“wherein the movement of the soapy water container includes movement of the soapy water container in a direction perpendicular to a rotational axis of the soapy water container.”*

The disclosure clearly conveys with reasonable clarity to those skilled in the art that the features of claims 40 and 47 were in possession of the Applicants, as of the filing date. Applicants submit that the features of claims 40 and 47-49, as presently written, clearly do not introduce new matter into the specification and the scope of these claims clearly is supported by the present disclosure.

For at least these reasons, claims 40 and 47-49 clearly comply with the written description requirement. Applicants respectfully request withdrawal of this rejection.

Claim Rejection under 35 U.S.C. §112, second paragraph

As set forth above, Applicants gratefully acknowledge the Examiner’s indication in the interview that Applicants’ clarification of the claims and identification of the support in the disclosure appear to overcome the rejections under 35 U.S.C. § 112, second paragraph, and that these rejections would be reconsidered upon submission of Applicants’ response to the Office Action.

The Office Action rejects claims 40 and 47-49 under 35 U.S.C. §112, second paragraph, as allegedly being incomplete for omitting essential elements, such omission amounting to a gap between the elements. (MPEP § 2172.01). Applicants respectfully traverse this rejection.

“The essential inquiry pertaining to the requirement under 35 U.S.C. § 112, second paragraph, is ‘whether the claims set out and circumscribe a particular subject matter with a reasonable degree of clarity and particularity. Definiteness of claim language must be analyzed, not in a vacuum, but in light of: (A) the content of the particular application disclosure; (B) the teachings of the prior art; and (C) the claim interpretation that would be given by one possessing the ordinary level of skill in the pertinent art at the time the invention was made.’ M.P.E.P. § 2173.02.

As explained above, the specification clearly explains that a lever device converts movement of the linen treatment device to translational movement at the sensor. (Page 2, lines 9-23; page page 8, lines 1-16.) Fig. 3 has arrows pointing up and down that illustrate the movement, or imbalance, of the soapy water container 15 with respect to the axis of the soapy water container 15. The rotational movement of the lever 27 about the fulcrum 26 converts the movement, or imbalance, of the soapy water container 15 to a translational movement of the sensor 22 along path b. Fig. 3 further illustrates that the sensor 22 moves along rail 23. Fig. 4 is a diagram illustrating these features.

Claim 40 is clear and definite because the ordinarily skilled artisan would know and understand the meaning of the phrase “*said lever device converts movement of said linen treatment device to translational movement at said sensor*” as recited in claim 40, in view of the embodiments disclosed in the specification and figures. Similarly, claim 47 is clear and definite because the ordinarily skilled artisan would know and understand the meaning of the phrase “*wherein the lever device converts movement of the soapy water container to translational movement of the sensor on the rail*” in view of the embodiments disclosed in the specification and figures.

Claims 48 and 49 also are clear and definite because the ordinarily skilled artisan would know and understand that the movement of the soapy water container includes movement in a direction parallel to a rotational axis of the soapy water container and in a direction perpendicular to a rotational axis of the soapy water container in view of the embodiments disclosed in the specification and figures.

Applicants respectfully submit that claims 40 and 47-49 set out and circumscribe the particular subject matter recited in these claims with a reasonable degree of clarity and particularity such that one of ordinary skill in the art would know and understand the claimed invention in view of the specification.

For at least these reasons, claims 40 and 47-49 are clear and definite. Applicants respectfully request withdrawal of this rejection.

The Claimed Invention

The specification explains that tumbling imbalances, i.e., imbalances in the direction of the axis of rotation of the drum, cannot be measured by means of a conventional tachogenerator. In contrast, the claimed invention can efficiently measure such tumbling imbalances. (Page 2, lines 10-23).

In particular, to solve the aforementioned problems, independent claim 19 recites a linen treatment device including an arrangement for determining the imbalance of the device, which includes at least one sensor and a lever device. The at least one sensor is coupled to a soapy water container of the linen treatment device by the lever device. The at least one sensor measures the temperature profile of a heating device built into the sensor. The temperature profile is altered by the acceleration caused by an imbalance of the device.

Independent claim 29 recites a household device including at least one sensor for measuring the temperature profile of a heating device built into the sensor, and a lever device, the at least one sensor coupled to a container of the household device by the lever device. The temperature profile is altered by the location of the container of the household device relative to the direction of the vector of the acceleration due to gravity.

Independent claim 42 recites a linen treatment device including a soapy water container, and an arrangement for determining an imbalance of the soapy water container. The arrangement includes a lever device coupled to the soapy water container, and a sensor on the lever device that measures a temperature profile of a heating device built into the sensor, wherein the temperature profile of the heating device is altered by

acceleration resulting from the imbalance of the soapy water container such that the imbalance of the soapy water container is determinable by the sensor.

Independent claim 50 recites a household device including a container, a sensor for measuring a temperature profile of a heating device built into the sensor, and a lever device that couples the sensor to the container. The temperature profile is altered by a location of the container relative to a direction of a vector of acceleration due to gravity.

The specification explains, with reference to the exemplary embodiment in Figs. 3 and 4, that the arrangement converts rotational movement of the lever to a translational movement in the direction of a path such that, if the soapy water container is accelerated downwards as a result of the imbalance or by the loading of the soapy water container, the downward acceleration is converted via the lever into a horizontal acceleration along the path. The specification further explains that the exemplary arrangement measures the acceleration values, which can then be used to determine both the mass of the washing and any imbalance of the drum during operation. The exemplary arrangement is suitable both for static and for dynamic measurements. (Page 8, lines 1-16; and page 10, lines 1-6; and Figs. 3 and 4).

The Smith et al. Reference in view of the Bugnacki Reference

The Office Action rejects claims 19, 21, 29, and 37-50 under 35 U.S.C. § 103(a) as allegedly being obvious over the Smith et al. reference (U.S. Pat. No. 5,685,038) in view of the Bugnacki reference (M. Bugnacki et al., "A Micromachined Thermal Accelerometer for Motion, Inclination, and Vibration Measurement," Sensors, June 2001, pp. 98-104, vol. 18, no. 6). Applicants respectfully traverse this rejection.

Independent claims 19, 29, 42, and 50:

"Office personnel must determine whether the claimed invention would have been obvious to one of ordinary skill in the art [...] after consideration of all the facts. [...]"
"Ascertaining the differences between the prior art and the claims at issue requires interpreting the claim language, and considering both the invention and the prior art

references as a whole. [...] In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious.” (M.P.E.P. § 2141.02(I)).

Applicants respectfully submit that the claimed invention would not have been obvious from the teachings of the Smith et al. reference and the Bugnacki reference.

The Smith et al reference teaches a weight 56 on the end of a pivot arm 46 that rests against a pad 70 absent acceleration. (Col. 4, lines 21-32, and 50-52.) Under the force of acceleration, the weight 6 moves along a path at a radius R. A predetermined acceleration is needed to cause the weight 56 to swing from its rest position against the pad 70 to the activation position where the weight activates the switch 74. (Col. 4, lines 61-67, and Col. 5, lines 1-5.) The weight 56 is either in the resting position against the pad 70 (position I), or it swings to the other side (position II) after a minimum predetermined amount of acceleration, which is sufficient to overcome the highest resistive force, is applied. (Col. 5, lines 32-37.)

In stark contrast, the Bugnacki reference teaches a micromachined temperature profile sensor (a micromachined thermal accelerometer) having only one moving element: a tiny bubble of heated air hermetically sealed inside the sensor package cavity. As the Response to Arguments of the present Office Action specifically points out, the Bugnacki reference teaches the use of such a micromachined temperature profile measuring sensor over conventional mechanical sensors in order to provide an inexpensive, high-reliable sensor and to avoid stiction problems associated with mechanical sensors (Page 9 of the Bugnacki reference). The term “stiction” is defined as “the force required to cause one body in contact with another to begin to move” by Merriam-Webster Online Dictionary Copyright © 2008.

The Office Action alleges that simply substituting the switch components, including the ball 56, of the Smith et al. reference with the sensor of the Bugnacki reference, used for allegedly the exact same purpose of indicating imbalance, would result in the claimed invention because the movement of the sensor in the Bugnacki

reference would detect load imbalance. Applicants respectfully disagree with the positions set forth in the Office Action and submit that it clearly would not have been obvious to simply substitute the switch components and the ball 56 of the Smith et al. reference with the sensor of the Bugnacki reference to arrive at the features of the claimed invention, for several reasons.

As explained above, the Bugnacki reference clearly teaches replacing mechanical sensors that suffer from stiction problems with a micromachined temperature profile measuring sensor. In stark contrast, the Smith et al reference teaches a mechanical device including a weight 56 on the end of a pivot arm 46 that rests against a pad 70 absent acceleration. The Smith et al reference clearly teaches a device that would suffer from stiction problems since a force would be required to cause the sensor in contact with the pad 70 to begin to move.

Applicants respectfully submit that it clearly would not have been obvious to substitute the sensor of the Bugnacki reference for the switch components and the ball 56 of the Smith et al. reference since the alleged combination would result in a device that suffers from stiction problems. The sensor of the Bugnacki reference would be mounted on the end of the pivot arm 46 and would rest against the pad 70 absent acceleration. Thus, the alleged combination would suffer from the very problems that the Bugnacki reference attempts to avoid.

Moreover, Applicants respectfully submit that it would not have been obvious to mount the sensor of the Bugnacki reference on the end of the pivot arm 46 of the Smith et al. reference in order to sense acceleration since the Bugnacki reference itself already performs the function of sensing acceleration without being mounted on a pivot arm. (Page 9, Impact/Shock Sensing.)

Further, Applicants respectfully submit that the Office Action fails to explain or establish how such a combination would operate for its intended purpose. As explained above, the Smith et al reference teaches a weight 56, which is cylinder of lead, mounted on the end of a pivot arm 46. The weight 56 renders the weight of the pivot arm 46 negligible such that the weight 56 swings from its resting position against the pad 70

(position I) to the activation position (position II) once the necessary predetermined amount of acceleration (threshold acceleration) is experienced on the weight 56. (Col. 4, lines 21-32, 50-52, and 61-67; col. 5, lines 1-5, and 32-37.)

In stark contrast, the Bugnacki reference teaches a micromachined temperature profile measuring sensor formed from a silicon substrate. Clearly, the silicon substrate of the Bugnacki reference has a much lower mass than the lead weight 56 of the Smith et al. reference. The silicon substrate would not function in the same way as the lead weight 56. The Office Action has not established or explained how the alleged combination would function in the same way that the Smith et al. reference is designed to operate without substantially reconstructing or redesigning the elements of the Smith et al. reference or the Bugnacki reference.

Applicants respectfully submit that it clearly would not have been obvious to simply substitute the sensor of the Bugnacki reference for the switch components and the ball 56 of the Smith et al. reference in the alleged manner. Clearly, the alleged combination would require more than a simple substitution of elements. Moreover, a substantial reconstruction and redesign of the elements of the alleged combination would be required to arrive at the features of the claimed invention.

Additionally, one of ordinary skill in the art would not have been motivated to make the alleged combination since the features of the Smith et al. reference would limit or reduce the sensitivity of the Bugnacki sensor to acceleration. As explained above, the weight 56 of the Bugnacki reference is either in the resting position against the pad 70 (position I), or it swings to the other side (position II) after a minimum predetermined amount of acceleration, which is sufficient to overcome the highest resistive force, is applied. (Col. 5, lines 32-37.) Hence, the alleged combination would, at best, result in a device that detects a single predetermined amount of acceleration (threshold acceleration). The resulting combination clearly would not disclose or suggest a device that measures a direction or a magnitude of an imbalance, as recited, for example, in independent claim 50.

For at least these reasons, Applicants respectfully submit that the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest at least an *“arrangement including at least one sensor and a lever device, said at least one sensor coupled to a soapy water container of said linen treatment device by said lever device”* as recited in claim 19. Additionally, the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest *“at least one sensor [and] a lever device, said at least one sensor coupled to a container of said household device by said lever device”* as recited in Claim 29.

The hypothetical combination of the Smith et al. reference and the Bugnacki reference also clearly fails to teach or suggest *“a sensor on the lever device that measures a temperature profile of a heating device built into the sensor, wherein the temperature profile of the heating device is altered by acceleration resulting from the imbalance of the soapy water container such that the imbalance of the soapy water container is determinable by the sensor”* as recited in claim 42. Additionally, the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest *“a sensor for measuring a temperature profile of a heating device built into the sensor; and a lever device that couples the sensor to the container; and wherein the temperature profile is altered by a location of the container relative to a direction of a vector of acceleration due to gravity”* as recited in claim 50.

For these and other reasons, the Smith et al. reference and the Bugnacki reference, either individually or in combination, do not disclose or suggest the subject matter defined by independent claims 19, 29, 42, and 50. Applicants respectfully request withdrawal of this rejection.

Dependent claims 21, 40, and 41:

Claims 21, 40, and 41 depend from Claim 19 and are allowable for the same reasons and also because they recite additional patentable subject matter. Applicants respectfully traverse this rejection.

For example, the hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest that “*said lever device converts movement of said linen treatment device to translational movement at said sensor*” as recited in claim 40.

First, Applicants respectfully submit that claim 40 does not merely recite an intended use, and also does not fail to provide adequate structure to further define the claimed linen treatment device. Instead, claim 40 further defines the structural attributes between the interrelated structural components of the claimed lever device and the sensor. Claim 40 defines that the lever device converts movement of the linen treatment device to translational movement at the sensor. (Page 8, lines 1-16; Figs. 3 and 4).

Second, the term “*translation*” is defined as “a transformation of coordinates in which the new axes are parallel to the old ones” or “uniform motion of a body in a straight line” by Merriam-Webster Online Dictionary Copyright © 2008. Similarly, the term “*translation*” properly is defined as “motion of a body in which every point of the body moves parallel to and the same distance as every other point of the body” by The American Heritage® Dictionary of the English Language, Fourth Edition. Copyright © 2000 by Houghton Mifflin Company. Applicants respectfully submit that www.wikipedia.org is not a citable reference.

Clearly, the alleged incorporation of the sensor of the Bugnacki reference for the ball 46 and relative switch structure of the Smith et al. reference would result in the sensor moving about an arc or radius R as the pivot arm 46 pivots around the fulcrum at 52 in Figs. 2 and 4. The arc-shaped or pivoting motion of the sensor clearly is not motion in a straight line or motion of a body in which every point of the body moves parallel to and the same distance as every other point of the body, as clearly shown in Figs. 2 and 4 of the Smith et al. reference. The sensor clearly would move along an arc and not in a straight line, as shown in Fig. 4 of the Smith et al. reference. Thus, the alleged lever device of the Smith et al. reference clearly does not convert movement of the soapy water container 15 to a “translational movement” at the sensor, as recited in claim 40.

Both the Smith et al. reference and the Bugnacki reference are completely silent with respect to converting movement of a linen treatment device to translational movement at the sensor, as recited in claim 40. The hypothetical combination of the Smith et al. reference and the Bugnacki reference clearly fails to teach or suggest all of the features of claim 40. Applicants respectfully request withdrawal of this rejection.

The Youn et al. Reference in view of the Bugnacki Reference and the Smith et al. Reference

The Office Action rejects claims 26-28 under 35 U.S.C. § 103(a) as allegedly being obvious over the Youn et al. reference (U.S. Pat. Pub. No. 2001/0025392) in view of the Bugnacki reference and the Smith et al. Reference. Applicants respectfully traverse this rejection.

The hypothetical combination of the Youn et al. reference, the Bugnacki reference, and the Smith et al. reference fails to teach or suggest an *“arrangement including at least one sensor and a lever device, said at least one sensor coupled to a soapy water container of said linen treatment device by said lever device”* as recited in claim 19. Claims 26-28 depend from Claim 19 and are allowable for the same reasons and also because they recite additional patentable subject matter.

The Youn et al. reference does not cure the deficiencies of the hypothetical combination of the Bugnacki reference and the Smith et al. reference with respect to independent claim 19. Instead, the Youn et al. reference merely teaches a washing machine 100 including a fault sensor 185 and a load sensor 190. (Paragraphs 0035-0036). The Youn et al. reference is silent with respect to an *“arrangement including at least one sensor and a lever device, said at least one sensor coupled to a soapy water container of said linen treatment device by said lever device”* as recited in claim 19.

For these and other reasons, the hypothetical combination of the Youn et al. reference, the Bugnacki reference, and the Smith et al. reference, does not disclose or suggest the features of claims 26-28. Applicants respectfully request withdrawal of this rejection.

New Claims 51-56

This Amendment adds new claims 51-56.

Claims 51-53 correspond to the subject matter of claims 26-28 and are added to depend from independent claim 42. Claims 54-56 are added to define more clearly the features of the invention. No new matter is added.

Applicants also submit that the applied references, either alone or in combination, do not teach or suggest the subject matter defined by New Claims 51-56. Applicants respectfully request the allowance of claims 51-56.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of claims 19, 21, 26-29, and 37-56 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,



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